



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 13, 2022


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Reorganized Debtor.

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Chapter 11

Case No. 19-34054-sgj11

**ORDER DENYING CROSS-MOTION TO ENFORCE SUBPOENAS AND COMPEL A
DEPOSITION [DOCKET NO. 3484] AS MOOT**

This matter having come before the Court on the *Reorganized Debtor's Response to (A) Motion to Quash and for Protection, and (B) Cross-Motion to Enforce Subpoenas and Compel a Deposition* [Docket No. 3484] (the "Cross-Motion") filed by Highland Capital Management, L.P. ("Highland") in the above-captioned chapter 11 case pursuant to which Highland sought an order directing NexPoint Real Estate Partners, LLC f/k/a HCRE Partners, LLC ("HCRE") to make

¹ The last four digits of Highland's taxpayer identification number are 8357. The headquarters and service address for Highland is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

certain witnesses available for depositions in connection with the contested matter concerning HCRE's *Motion to Withdraw Proof of Claim* [Docket No. 3443] (the "Underlying Motion"); and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having considered (a) the Cross-Motion, (b) the *Declaration of John A. Morris in Support of the Reorganized Debtor's Response to (A) Motion to Quash and for Protection, and (B) Cross-Motion to Enforce Subpoenas and Compel a Deposition* [Docket No. 3486], including Exhibits 1-6 annexed thereto, (c) HCRE's *Reply in Support of Motion to Quash and for Protection* [Docket No. 3506], and (d) the arguments presented by counsel during the hearing conducted on September 12, 2022 (the "Hearing"); and the Court having denied the Underlying Motion for the reasons set forth on the record during the Hearing; and adequate notice of the Cross-Motion having been given; and after due deliberation and good cause appearing therefor, it is hereby **ORDERED** that:

1. The Cross-Motion is **DENIED** as moot in light of the Court's denial of the Underlying Motion.
2. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

END OF ORDER